

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
W/S Cedarwood Road, 225' N of * ZONING COMMISSIONER
the c/l of Ridge Road * OF BALTIMORE COUNTY
(20 Cedarwood Road) * Case No. 96-335-A
1st Election District *
1st Councilmanic District *
L. Carroll Yingling, Jr., et ux
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 20 Cedarwood Road, located in the vicinity of Frederick Road and Maiden Choice Lane in Catonsville. The Petition was filed by the owners of the property, L. Carroll Yingling, Jr., and his wife, Phyllis S. Yingling. The Petitioners seek relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 13 feet in lieu of the minimum required 30 feet for a proposed 12' x 16' addition, and a lot width of 50 feet in lieu of the minimum required 55 feet to legitimize an existing condition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or gener-

ORDER RECEIVED FOR FILING

Date

By

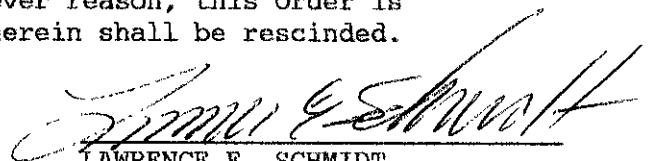
4/18/96
[Signature]

al welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 8th day of April, 1996 that the Petition for Administrative Variance seeking relief from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 13 feet in lieu of the minimum required 30 feet for a proposed 12' x 16' addition, and a lot width of 50 feet in lieu of the minimum required 55 feet to legitimize an existing condition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

IES:bjs

ORDER RECEIVED FOR FILING
4/9/96
Date
By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 8, 1996

Mr. & Mrs. L. Carroll Yingling, Jr.
20 Cedarwood Road
Baltimore, Maryland 21228-2301

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Cedarwood Road, 225' N of the c/l of Ridge Road
(20 Cedarwood Road)
1st Election District - 1st Councilmanic District
L. Carroll Yingling, Jr., et ux - Petitioners
Case No. 96-335-A

Dear Mr. & Mrs. Yingling:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel.

File



L. Carroll Yingling, Jr.
Phyllis S. Yingling

96-335-A

20 Cedarwood Road

Reasons for Petition for Administrative Variance (Attachment)

1. Under present zoning, DR 5.5, there is a 30' setback requirement from the back of our house to the rear property line. We wish to construct a 16.8x12.8" addition to the house. Since the house is now 29' from the rear property line, the addition would provide only 13' of back yard clearance.
2. Both residents are now 65, and hope to live at this address for at least ten more years.
3. After a recent hospitalization for one of us, with an extended recovery period, we realized the need for space on our first floor for a half bath, with room for a sofa bed, if needed.
4. This space would also be used for a family room and an additional guest room.

WICKBURN

ZONING DESCRIPTION

96--335-A

Zoning Description for 20 Cedarwood Road.

Beginning at a point on the west side of Cedarwood Road, which is 30' wide, at a distance of 225' north of the centerline of Mt. Ridge Road, which is 30' wide. S 15°04'E 50.0' N 73°07'E 83.60' N15°04'W 50.0' N73°07'E 83.60'. Being Lot #11 in the subdivision of Mt. Ridge, as recorded in the Baltimore County Plat Book #9, Folio #3, containing 4,180 square feet. Also known as 20 Cedarwood Road, and located in the 1st Election District, 1st Councilmanic District.

L.Carroll and Phyllis S. Yingling
Petition for Administrative Variance

AGGREGATE

41-6-3

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1st Date of Posting 3.15.96

Posted for: Case No. 96-335 A

Petitioner: L. Carroll Yimgling & Puyllis S. Yimgling

Location of property: 20 CEDARWOOD ROAD

Location of Signer

Remarks:

Posted by Donk Proglis Date of return:

Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 070233

96-335-A

DATE 3-9-96 ACCOUNT 1001-100

AMOUNT \$ 80.00

RECEIVED FROM: Mr. Mrs. CARROLL KINGLINE
20 CEDARWOOD DR. 2122; 2121
910 E. VAN. 100
3001 SIGN 33,
FOR: 1001-1001
1001-1001
1001-1001
1001-1001

VALIDATION OR SIGNATURE OF CASHIER
DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 336 Petitioner: YINGLING

Location: 20 CEDARWOOD RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: L.C. YINGLING JR

ADDRESS: 20 CEDARWOOD ROAD

BALTIMORE MD 21228-2301

PHONE NUMBER: 744-9332

336.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 12, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-335-A (Item 336)
20 Cedarwood Road
W/S Cedarwood Road, 225' N of c/l Ridge Road
1st Election District - 1st Councilmanic
Legal Owner(s): L. Carroll Yingling, Jr. & Phyllis S. Yingling

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before March 17, 1996. The closing date (April 1, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: L. Carroll Yingling, Jr. and Phyllis S. Yingling



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 22, 1996

Mr. and Mrs. L. Carroll Yingling, Jr.
20 Cedarwood Road
Baltimore, Maryland 21228-2301

RE: Item No.: 336
Case No.: 96-335-A
Petitioner: L. C. Yingling, Jr.,

Dear Mr. and Mrs. Yingling:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 5, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 03/13/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAR. 18, 1996

Item No.: SEE BELOW

Zoning Agenda:

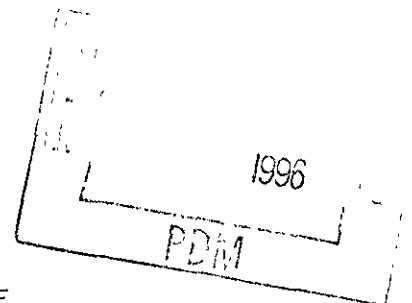
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 334, 335, 336, 337, 338, 339,
340, 341 AND 342.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: March 15, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. 336

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Keras

PK/JL



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoﬀ
Administrator

3-18-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 336 (JRA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

Notes from
Adjacent
Neighbors —

(1 Yingling, Jr.
3. Yingling

Wood Road

on for Administrative Variance (# 336)

present zoning, DR 5.5, there is a 30' setback
nt from the back of our house to the rear
line. We wish to construct a 16'8" x 12'8"
addition to the house. Since the house is now 29'
from the rear property line, the addition would pro-
vide only 13' of back yard clearance.

2. Both of us are now 65, and hope to live at this
address for at least ten more years.
3. After a recent hospitalization for one of us, with
an extended recovery period, we realized the need for
space on our first floor for a half bath, with room
for a sofa bed, if needed.
4. This space would also be used for a family room
and an additional guest room.

I, the undersigned, an adjacent property owner, living
at 16-18 Cedarwood Rd., have seen the plans
for the addition at 20 Cedarwood Road and do not object
to them.

Mary Mae J. Smith
John R. Smith

15 March 1994
Date

336.

L. Carroll Yingling, Jr.
Phyllis S. Yingling

20 Cedarwood Road

Application for Administrative Variance (# 336)

1. Under present zoning, DR 5.5, there is a 30' setback requirement from the back of our house to the rear property line. We wish to construct a 16'8" x 12'8" addition to the house. Since the house is now 29' from the rear property line, the addition would provide only 13' of back yard clearance.
2. Both of us are now 65, and hope to live at this address for at least ten more years.
3. After a recent hospitalization for one of us, with an extended recovery period, we realized the need for space on our first floor for a half bath, with room for a sofa bed, if needed.
4. This space would also be used for a family room and an additional guest room.

I, the undersigned, an adjacent property owner, living at 22 CEDARWOOD ROAD, have seen the plans for the addition at 20 Cedarwood Road and do not object to them.

Wayne E. Kahmer

MAR 5, 1996
Date

(Note: Mr. Wayne Kahmer is also the owner of the property adjacent to the rear of the subject property.)

336.

RECEIVED

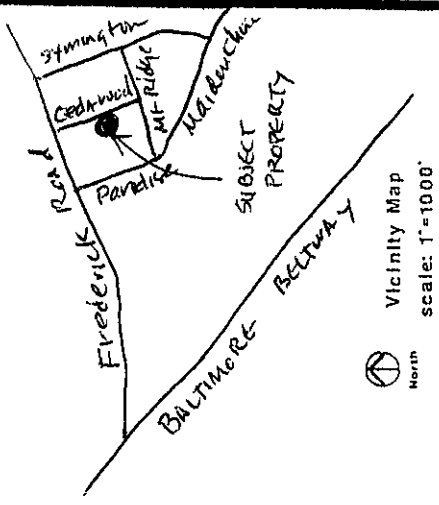
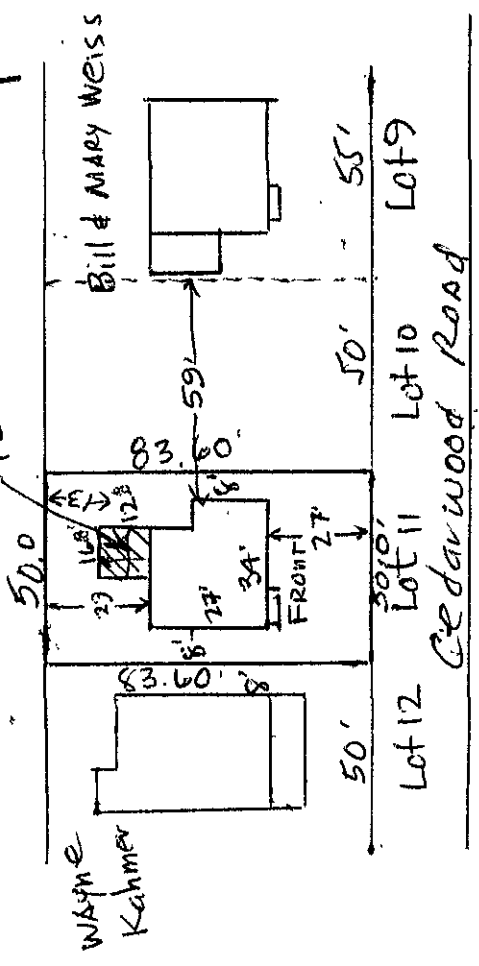
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 20 CEDARWOOD ROAD see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: MT. RIDGE
 plat book # 2, folio # 3, lot # 11, section # 96-335-A

OWNER: L. CARROLL & PHYLLIS S. YINGLING
house 160' from Rear
Property Line

Proposed Addition 12' x 16' - approx 12' high



LOCATION INFORMATION	
Election District:	1
Councilmanic District:	1
1"=200' scale map#:	SW 3 E
Zoning:	DR 5.5
Lot size:	0.096 acreage
	4180 square feet

public	<input checked="" type="checkbox"/>	SEWER:	<input checked="" type="checkbox"/>
private	<input type="checkbox"/>	WATER:	<input checked="" type="checkbox"/>
		Chesapeake Bay Critical Area:	<input checked="" type="checkbox"/>
		Prior Zoning Hearings:	None

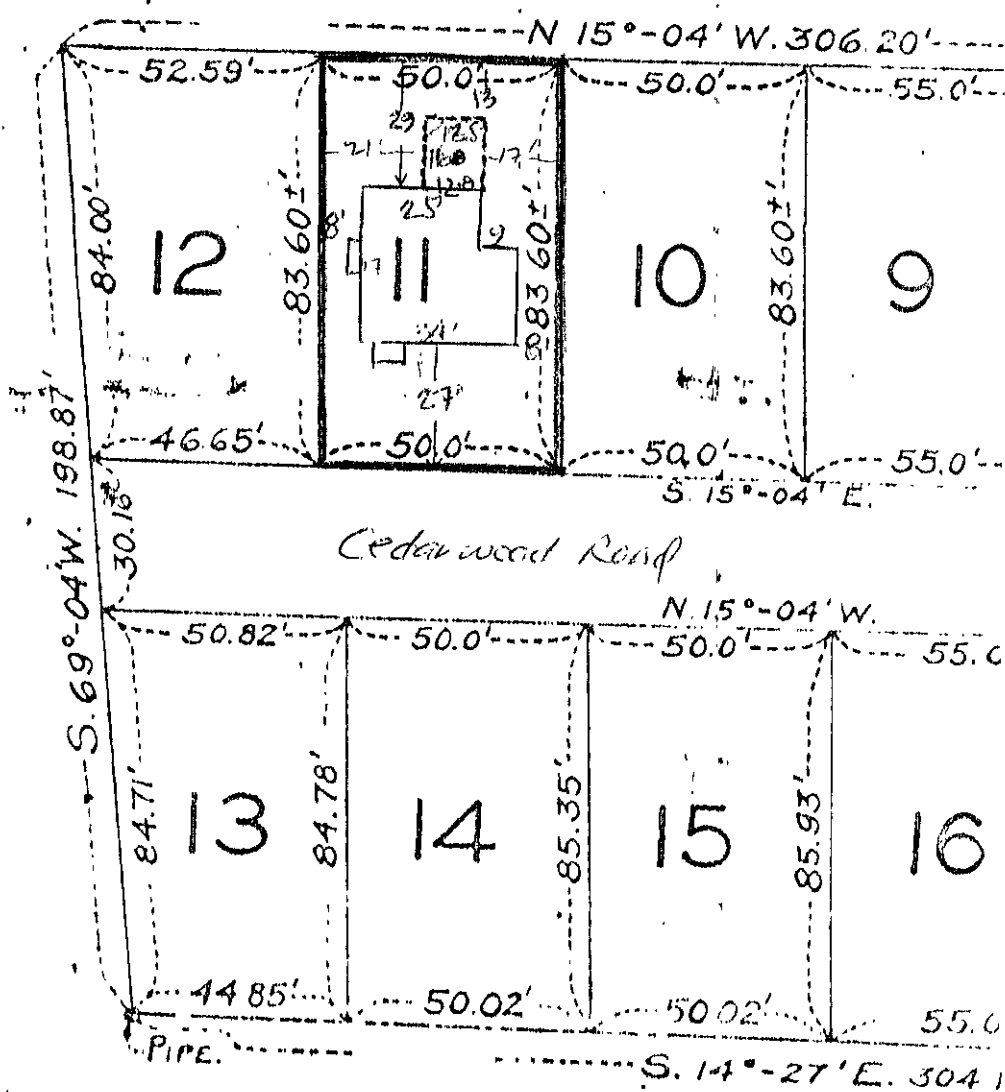
Zoning Office USE ONLY!	
reviewed by:	ITEM #: 336
date:	CASE #:



North
 date: 4/27/96
 prepared by: LC7 Scale of Drawing: 1"= 50'

L. Carroll and Phyllis S. Yingling
20 Cedarwood Road

96-335-A



NOTED

336.

96-335-A



Yingling
#1.336
view from
back yard
to nearest
property in
Paradise Ave.



view of
addition
from 2nd
floor bed-
room.



view of
back yard
with ad-
dition out-
lined, from
rear of house



Viewing
336
Rear of
Subject
house with
addition
outlined



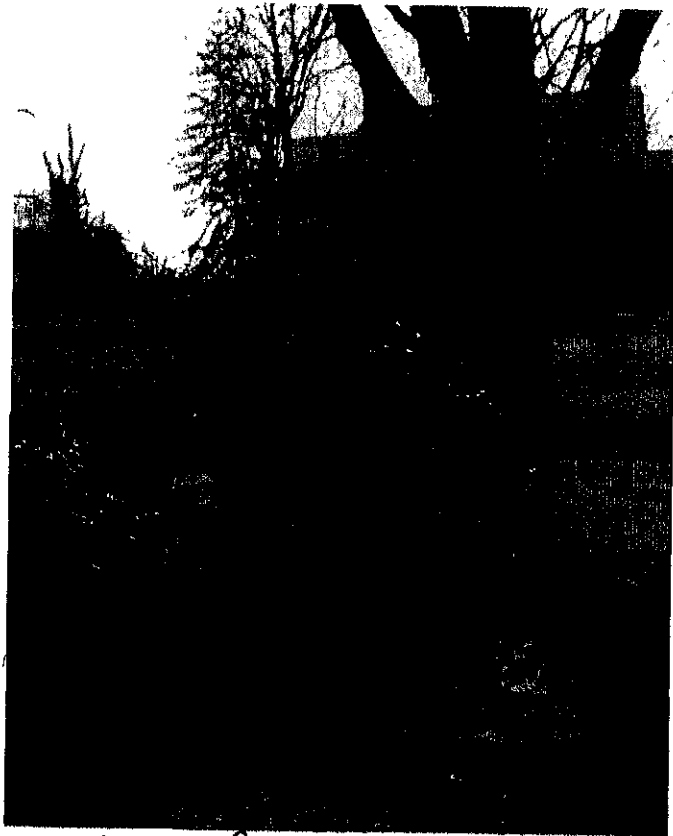
view of
Subject house
(left) with
neighbor to
north (16-
18 Cedarwood
Rd.)



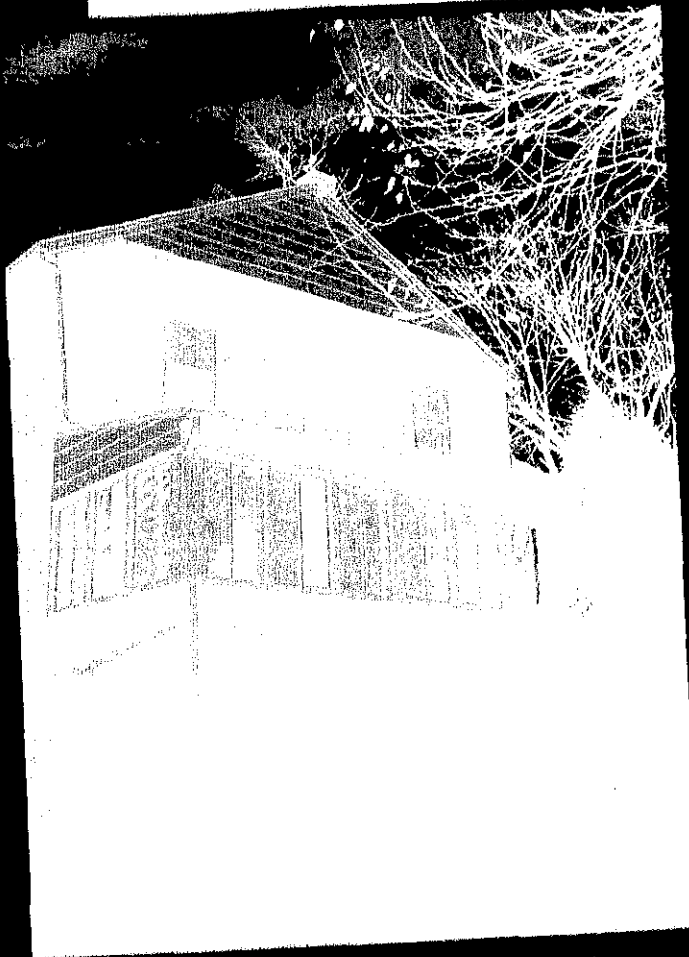
view of
space be-
tween sub-
ject house
and southern
neighbor (22
Cedarwood
Rd.)



Front View of Subject property from
Cedarwood Road showing neighboring House



View from proposed Addition
toward House in Rear of Subject property



336

Side view of subject property



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at

20 Cedarwood Road

which is presently zoned

DR 5.5

96-335-A

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1302.30.1 - To Allow 13 Ft IN LIEU OF THE REQUIRED 30 Ft Front Yard (SOLOT WIDTH IN LIEU OF THE REQUIRED 55 Ft. NOTE: EXISTING CONDITION).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See Attached Statement

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

L. Carroll Yingling, Jr.
(Type or Print Name)

Signature

Signature

Phyllis S. Yingling

Address

(Type or Print Name)

Signature

City

State

Zipcode

Attorney for Petitioner:

20 Cedarwood Road

744-9332

(Type or Print Name)

Address

Phone No.

Signature

Baltimore

MD

21228-2301

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

L. Carroll or Phyllis S. Yingling

Name

20 Cedarwood Road

744-9332

Address

Phone No.

Address

Phone No.

City

State

Zipcode

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JMA

DATE: 3-5-96

ESTIMATED POSTING DATE:



Printed with Soybean Ink
on Recycled Paper

ITEM #: 336

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 20 Cedarwood Road
address
Baltimore MD 21228-2301
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

1. Under present zoning, DR 5.5, there is a 30' setback requirement from the back of our house to the rear property line. We wish to construct a 16'x12' addition. Since the house is now 29' from the rear property line, the addition would provide only 13' of backyard clearance.
2. Both residents are now 65, and hope to live at this address for at least 10 more years.
3. After a recent hospitalization for one of us, with an extended recovery period, we realized the need for space on our first floor for a half bath, with room for a sofa bed, if needed.
4. This space would also be used for a family room and an additional guest room.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

L. Carroll Yingling, Jr.
(signature)
L. Carroll Yingling, Jr.
(type or print name)



Phyllis S. Yingling
(signature)
Phyllis S. Yingling
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29 day of February, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Mr. & Mrs. Yingling

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

2/29/96
date

Laura Cavanaugh
NOTARY PUBLIC

My Commission Expires:

LAURA CAVANAUGH
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires May 26, 1998

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Cedarwood Road, 225' N of
the c/l of Ridge Road
(20 Cedarwood Road)
1st Election District
1st Councilmanic District
L. Carroll Yingling, Jr., et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-335-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 20 Cedarwood Road, located in the vicinity of Frederick Road and Maiden Choice Lane in Catonsville. The Petition was filed by the owners of the property, L. Carroll Yingling, Jr., and his wife, Phyllis S. Yingling. The Petitioners seek relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 13 feet in lieu of the minimum required 30 feet for a proposed 12' x 16' addition, and a lot width of 50 feet in lieu of the minimum required 55 feet to legitimize an existing condition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners having filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or gener-

al welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 8th day of April, 1996 that the Petition for Administrative Variance seeking relief from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 13 feet in lieu of the minimum required 30 feet for a proposed 12' x 16' addition, and a lot width of 50 feet in lieu of the minimum required 55 feet to legitimize an existing condition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

April 8, 1996

(410) 887-4386

Mr. & Mrs. L. Carroll Yingling, Jr.
20 Cedarwood Road
Baltimore, Maryland 21228-2301

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Cedarwood Road, 225' N of the c/l of Ridge Road
(20 Cedarwood Road)
1st Election District - 1st Councilmanic District
L. Carroll Yingling, Jr., et ux - Petitioners
Case No. 96-335-A

Dear Mr. & Mrs. Yingling:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel.

File

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 20 Cedarwood Road
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1 of the B.C.Z.R. to allow 13 feet rear yard setback in lieu of the required 30 feet rear yard setback in lieu of the required 55 feet rear yard setback.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

See Attached Statement

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee: _____
(Type or Print Name) _____
Signature: _____
Address: _____
City: _____ State: _____ Zip: _____
Attorney for Petitioner: _____
(Type or Print Name) _____
Signature: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone No.: _____

(Who do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.)
Legal Owner(s):
L. Carroll Yingling, Jr.
Phyllis S. Yingling
(Type or Print Name) _____
Signature: _____
Address: 20 Cedarwood Road 744-9332
Baltimore MD 21228-2301
Name, Address and phone number of representative to be contacted:
L. Carroll or Phyllis S. Yingling
20 Cedarwood Road 744-9332
Baltimore MD 21228-2301

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, to be held on _____ at _____, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

REVIEWED BY: SPD DATE: 3-5-96
ESTIMATED POSTING DATE: _____
Printed with Soybean Ink on Recycled Paper
ITEM #: 336

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at _____
Baltimore MD 21228-2301
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

1. Under present zoning, DR 5.5, there is a 30' setback requirement from the back of our house to the rear property line. We wish to construct a 16'x12' addition. Since the house is now 29' from the rear property line, the addition would provide only 13' of backyard clearance.
2. Both residents are now 65, and hope to live at this address for at least 10 more years.
3. After a recent hospitalization for one of us, with an extended recovery period, we realized the need for space on our first floor for a half bath, with room for a sofa bed, if needed.
4. This space would also be used for a family room and an additional guest room.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

L. Carroll Yingling, Jr.
Signature
Phyllis S. Yingling
Signature

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 29 day of March, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Mr. & Mrs. Yingling
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s) and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of their personal knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Laura Cavanaugh
My Commission Expires May 26, 1998

LAURA CAVANAUGH
NOTARY PUBLIC, STATE OF MARYLAND
My Commission Expires May 26, 1998

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L. Carroll Yingling, Jr.
Phyllis S. Yingling

20 Cedarwood Road

Reasons for Petition for Administrative Variance (Attachment)

1. Under present zoning, DR 5.5, there is a 30' setback requirement from the back of our house to the rear property line. We wish to construct a 16'x12' addition to the house. Since the house is now 29' from the rear property line, the addition would provide only 13' of backyard clearance.
2. Both residents are now 65, and hope to live at this address for at least ten more years.
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ZONING DESCRIPTION

Zoning Description for 20 Cedarwood Road.

Beginning at a point on the west side of Cedarwood Road, which is 30' wide, at a distance of 225' north of the centerline of Mt. Ridge Road, which is 30' wide, S 15°04'E 50.0' N 73°07'E 83.60' N15°04'W 50.0' W73°07'E 83.60'. Being Lot #11 in the subdivision of Mt. Ridge, as recorded in the Baltimore County Plat Book #9, Folio #3, containing 4,180 square feet. Also known as 20 Cedarwood Road, and located in the 1st Election District, 1st Councilmanic District.

L. Carroll and Phyllis S. Yingling
Petition for Administrative Variance

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CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1st Date of Posting: 3-15-96
Posted for: Case No. 96-335-A
Petitioner: L. Carroll Yingling & Phyllis S. Yingling
Location of property: 20 Cedarwood Road
Location of Sign: _____
Remarks: _____
Posted by: Deak Regalis Date of return: _____
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 013993
DATE: 3-5-96 ACCOUNT: R-001-6130
RECEIVED BY: L. Carroll Yingling
FROM: 20 CEDARWOOD RD 21228-2301
FOR: 20 CEDARWOOD RD 21228-2301
AMOUNT: \$25.00
VALIDATION OR SIGNATURE OF CASHIER: 336



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 336 Petitioner: YINGLING
Location: 20 CEDARWOOD RD
PLEASE FORWARD ADVERTISING BILL TO:
NAME: L.C. YINGLING JR
ADDRESS: 20 CEDARWOOD ROAD
BALTIMORE MD 21228-2301
PHONE NUMBER: 744-9332

Printed with Soybean Ink
on Recycled Paper

336.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 12, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-335-A (Item 336)
20 Cedarwood Road
W/S Cedarwood Road, 225' N of c/l Ridge Road
1st Election District - 1st Councilmanic
Legal Owner(s): L. Carroll Yingling, Jr. & Phyllis S. Yingling

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before March 17, 1996. The closing date (April 1, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commission), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Carl Jablon
Arnold Jablon
Director

cc: L. Carroll Yingling, Jr. and Phyllis S. Yingling

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 22, 1996

Mr. and Mrs. L. Carroll Yingling, Jr.
20 Cedarwood Road
Baltimore, Maryland 21228-2301

RE: Item No.: 336
Case No.: 96-335-A
Petitioner: L. C. Yingling, Jr.,

Dear Mr. and Mrs. Yingling:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 5, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

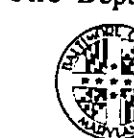
Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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on Recycled Paper

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 03/13/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAR. 18, 1996

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 334, 335, 336, 337, 338, 339, 340, 341 AND 342.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, NS-1102F

cc: File

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on Recycled Paper



336.

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BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management
DATE: March 15, 1996
FROM: Pat Keller, Director
Office of Planning
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. 336

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*
Division Chief: *Carol L. Kead*

PK/JL

ITEM 336/PZONE/ZAC1

MICROFILMED



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 336 (JRA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 21724 Baltimore, MD 21203-0717

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Notes from
Adjacent
Neighbors -

1) Yingling, Jr.
S. Yingling
road Road
on for Administrative Variance (# 336)

present zoning, DR 5.5, there is a 30' setback
at from the back of our house to the rear
line. We wish to construct a 16'8" x 12'8"
addition to the house. Since the house is now 29'
from the rear property line, the addition would provide only 13' of back yard clearance.

2. Both of us are now 65, and hope to live at this address for at least ten more years.

3. After a recent hospitalization for one of us, with an extended recovery period, we realized the need for space on our first floor for a half bath, with room for a sofa bed, if needed.

4. This space would also be used for a family room and an additional guest room.

I, the undersigned, an adjacent property owner, living at 16-18 Cedarwood Rd., have seen the plans for the addition at 20 Cedarwood Road and do not object to them.

Wayne P. Kahmer
Walter H. W.

5 March 1996
Date

336.

L. Carroll Yingling, Jr.
Phyllis S. Yingling

20 Cedarwood Road

Application for Administrative Variance (# 336)

1. Under present zoning, DR 5.5, there is a 30' setback requirement from the back of our house to the rear property line. We wish to construct a 16'8" x 12'8" addition to the house. Since the house is now 29' from the rear property line, the addition would provide only 13' of back yard clearance.

2. Both of us are now 65, and hope to live at this address for at least ten more years.

3. After a recent hospitalization for one of us, with an extended recovery period, we realized the need for space on our first floor for a half bath, with room for a sofa bed, if needed.

4. This space would also be used for a family room and an additional guest room.

I, the undersigned, an adjacent property owner, living at 22 Cedarwood Road, have seen the plans for the addition at 20 Cedarwood Road and do not object to them.

Wayne P. Kahmer

Mar 5 1996
Date

(Note: Mr. Wayne Kahmer is also the owner of the property adjacent to the rear of the subject property.)

336.

MICROFILMED

96-335-A



H-NE 6-NW
H-SE 6-SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAPHIC METHODS
BY GUYHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY

OFFICE OF PLANNING AND ZONING

OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

William A. Howard
Chairman, County Council

SCALE	LOCATION	SHEET
1" = 200'	CATONSVILLE	S.W.
DATE OF PHOTOGRAPHY JANUARY 1986		3-E

MICROFILMED

96-335-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	CATONSVILLE	SW
DATE OF PHOTOGRAPHY JANUARY 1986	MICROFILMED	3-E